

1

2

3

4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

6

7 GEORGE ELLIS WALLACE,  
8 Plaintiff,  
9 v.  
10 DAVIS, et al.,  
11 Defendants.

Case No. [17-cv-05488-SI](#)

**ORDER EXTENDING DEADLINES**

Re: Dkt. No. 21

12

13 Defendants have filed a second *ex parte* request for an extension of the deadline to file a  
14 dispositive motion. Upon due consideration of the request and the accompanying declaration of  
15 attorney Virginia Papan, the court GRANTS the request. Docket No. 21. The court now sets the  
16 following new briefing schedule for dispositive motions: Defendants must file and serve their  
17 dispositive motion no later than **November 16, 2018**. Plaintiff must file and serve on defense  
18 counsel his opposition to the dispositive motion no later than **December 14, 2018**. Defendants  
19 must file and serve their reply brief (if any) no later than **December 28, 2018**.

20

21 Plaintiff's deadline to file an amended complaint was July 27, 2018, after the most recent  
22 extension of that deadline. *See* Docket No. 19. Plaintiff did not file an amended complaint.  
23 Accordingly, the claims that were dismissed with leave to amend in the order of dismissal with  
24 leave to amend (Docket No. 8) are now dismissed without leave to amend, but without prejudice  
to plaintiff asserting those claims in a new action.

25

**IT IS SO ORDERED.**

26

Dated: September 28, 2018



27

28 SUSAN ILLSTON  
United States District Judge